

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

KELVIN CHALAS

No. 17-cr-10330-RGS

DEFENDANT'S REVISED MOTION TO SUPPRESS STATEMENTS

The defendant, Kelvin Chalas, moves this Court to suppress any statements allegedly made by him to law enforcement agents on August 22, 2017. As grounds for this motion, the defendant states that he was subjected to custodial interrogation without being apprised of his rights under the Fifth Amendment of the United States Constitution. *See Miranda v. Arizona*, 384 U.S. 436 (1966). Any statements made by the defendant in response to said custodial interrogation must therefore be suppressed. In support of this motion, the defendant submits the attached affidavit.

Factual Background¹

On August 22, 2017, the Court (Bowler, MJ) granted an application for a warrant to search Apartment #8 at 10 Abbotsford Street in Dorchester. Investigators executed the warrant at the apartment later that day. Reports identify nine separate agents that were involved in the execution of the search warrant. At the apartment, agents knocked on the door. Receiving no response, they forced entry.

After forcing entry, agents encountered the defendant leaving a bedroom. He was placed on the ground and handcuffed. He was in his boxer shorts at the time. The defendant was

¹ The facts are summarized from the defendant's affidavit, discovery provided by the government and the Affidavit in Support of Criminal Complaint. Dkt. 2-1.

*Denied as moot in light of the government's response.
R. J. Hearn Dkt. 3-28-19.*